

Notice of Allowability

Application No.

10/804,298

Examiner

Yaritza Guadalupe McCall

Applicant(s)

BLAIR ET AL.

Art Unit

2859

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Application filed March 19, 2004.
2. ☒ The allowed claim(s) is/are 1-21.
3. ☒ The drawings filed on 19 March 2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 3/19/2004
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____.
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____.

DETAILED ACTION

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows in order to correct for a typographical error noted in claim 21.

- a. Please replace the semicolon “ ; ” at the end of line 13 of the claim with a period “ . ”

Reasons for Allowance

2. The following is an examiner's statement of reasons for allowance:

a. Claims 1 - 12 are allowable over the Prior Art of Record because it fails to teach or suggest an image forming apparatus having an apparatus housing and a sub-unit moveable between open and closed positions with respect to said apparatus housing comprising a mechanical linkage connected to said backup roller and operative to engage and disengage said transport roller frame, said linkage also operative to move said backup roller between an engaged position wherein said backup roller contacts said drive roller to form a nip therebetween, and a retracted position wherein said backup roller does not contact said drive roller, in response to said mechanical linkage disengaging said transport roller frame in combination with the remaining limitations of the claims.

b. Claims 13 - 17 are allowable over the Prior Art of Record because it fails to teach or suggest a media alignment mechanism for an image forming apparatus having a sub-unit moveable between open and closed positions comprising a backup roller having a shaft disposed in said segmented bearing, adjacent and parallel to said to said drive roller, and moveable between an engaged position wherein said backup roller contacts said drive roller to form a nip therebetween, and a retracted position wherein said

backup roller does not contact said drive roller, in response to said sub-unit moving from a closed to an open position and a biasing member operative to bias said backup roller to engaged position in combination with the remaining limitations of the claims.

c. Claims 18 - 20 are allowable over the Prior Art of Record because it fails to teach or suggest a method of releasing a media sheet from nip between two rollers disposed in an image formation apparatus having a sub-unit moveable between open and closed positions comprising the step of engaging and disengaging an element mounted on said sub-unit with a mechanical linkage disposed in said housing as said sub-unit is moved between closed and open positions in combination with the remaining limitations of the claims.

d. Claim 21 is allowable over the Prior Art of Record because it fails to teach or suggest an image forming apparatus having an apparatus housing and a sub-unit moveable between open and closed positions with respect to said apparatus housing comprising a mechanical linkage connected to said backup roller and operative to engage and disengage said transport roller

frame, said linkage also operative to move said backup roller between an engaged position wherein said backup roller contacts said drive roller to form a nip therebetween, and a retracted position wherein said backup roller does not contact said drive roller, in response to said mechanical linkage disengaging said transport roller in combination with the remaining limitations of the claims.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Yaritza Guadalupe whose telephone number is (571)272 -2244. The examiner can normally be reached on 9:00 AM - 6:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Diego F.F. Gutierrez can be reached on (571) 272-2245. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Yaritza Guadalupe McCall
Patent Examiner
Art Unit 2859
July 7, 2005



CHRISTOPHER W. FULTON
PRIMARY EXAMINER